

Alonzo Morefield, Jr.,
PLAINTIFF,

*
RECEIVED
U.S. DISTRICT COURT
MAY 3 2007
CLERK'S OFFICE
MONTGOMERY, AL

VS -

* - CASE NO.: 2:07-cv-080

Kathy Holt, INDIVIDUALLY AND *
IN OFFICIAL CAPACITY ACTING *
UNDER COLOR OF STATE LAW, *
Defendant.

RESPONSE TO SUPPLEMENTAL SPECIAL REPORT

Comes now PLAINTIFF, Pro se, FILES THIS RESPONSE TO SUPPLEMENTAL SPECIAL REPORT PURSUANT TO THIS COURTS ORDER OF APRIL 18, 2007. IT SHOULD BE NOTED PLAINTIFF RECEIVED DEFENDANT'S SUPPLEMENTAL SPECIAL REPORT ON APRIL 24, 2007 VIA U.S. MAIL.

1. THE DETAINER AT ISSUE IS NOT MOOT. ALTHOUGH THE ALABAMA SENTENCE WILL EXPIRE PRIOR TO PLAINTIFF'S GEORGIA SENTENCE, IT IS NOT NECESSARY TO PLACE ANY DETAINER ON PLAINTIFF AS HE IS NOT ELIGIBLE FOR ANY EARLY RELEASE FROM CUSTODY. SEE GEORGIA LAW §17-10-6.1. PLAINTIFF ADVISED DEFENDANT OF THIS FACT.
2. IN THE MONTGOMERY COUNTY CIRCUIT COURT SENTENCING ORDER IT CLEARLY STATES "DEFENDANT MOREFIELD IS TO BE BROUGHT BACK BEFORE THE COURT PRIOR TO RELEASE FROM INCARCERATION, SHOULD HE BE RELEASED, HE (MOREFIELD) IS ORDERED TO REPORT TO THE MONTGOMERY COUNTY PROBATION OFFICE WITHIN 24 HOURS." ALSO A LETTER DATED JUNE 15, 2005 FROM ELEANOR BROOKS, DISTRICT ATTORNEY, MONTGOMERY COUNTY, ALABAMA STATING, "AS I STATED IN MY LETTER DATED JUNE 3, 2005, THE GEORGIA DEPARTMENT OF CORRECTIONS INFORMED ME THAT HE (MOREFIELD) DID NOT QUALIFY FOR A "NOTIFY ONLY" DETAINER; THEREFORE IT IS UP TO GEORGIA DEPT. OF CORRECTIONS AS TO HOW THEY WILL HANDLE ALABAMA'S NOTIFICATION ONLY DETAINER. (SEE DETAINER ISSUED BY GEORGIA DEPT. OF CORRECTIONS ATTACHED TO SUPPLEMENTAL SPECIAL REPORT)
3. IT IS TRUE THE GEORGIA DEPT. OF CORRECTIONS GOVERNS PLAINTIFF'S CLASSIFICATION STATUS AS STATED IN DEFENDANT'S SUPPLEMENTAL SPECIAL REPORT. THE ALABAMA ACTIVE DETAINER ADVERSELY IMPACTS PLAINTIFF'S CLASSIFICATION STATUS AND ANY PRIVILEGES WITHIN GEORGIA DEPARTMENT OF CORRECTIONS.

RESPECTFULLY SUBMITTED,
ALONZO MOREFIELD, JR.
PLAINTIFF, PRO SE

by:



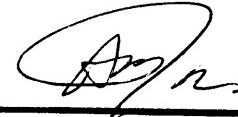
CERTIFICATE OF SERVICE

I CERTIFY THAT A COPY OF THE FOREGOING WAS SERVED ON DEFENDANT BY CLERK U.S. DISTRICT COURT, MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION VIA FORWARDING BY U.S. MAIL AS FOLLOWS:

ALABAMA DEPARTMENT OF CORRECTIONS
TARA S. KREE, GENERAL COUNSEL
P.O. BOX 301501

MONTGOMERY, AL 36130

This 30th day of April, 2007.



ALONZO MOREFIELD, JR.
ID. NO. 479955
GEORGIA STATE PRISON
300 FIRST AVE
REEDSVILLE, GA. 30453

Alonzo Morefield, Jr.,
PLAINTIFF,

*
vs -

Kathy Holt,
Defendant.

*
CASE NO. 2:07-cv-080

*
MOT DAY - 31 APR 09

*

AFFIDAVIT

Alonzo Morefield, Jr., Declares he is the Plaintiff in Above Stated ACTION Comes to MAKE the Following Statement UNDER OATH AND SUBJECT TO THE PENALTY OF PERJURY SAYETH THE FOLLOWING; The SUPPLEMENTAL SPECIAL Report stipulates THAT ALABAMA FILED A "NOTIFICATION ONLY" DETAINER. PLAINTIFF AVERS THAT he has a letter in his possession FROM ELEN BROOKS, DISTRICT ATTORNEY, MONTGOMERY COUNTY ALABAMA which clearly states THAT Morefield doesn't QUALIFY FOR NOTIFICATION ONLY DETAINER AND IT IS UP TO GEORGIA DEPARTMENT OF CORRECTIONS (GDC) AS TO WHAT STATUS THEY DEEM DETAINER TO BE.

Also in the MONTGOMERY County Circuit Court sentencing ORDER of November 16, 2004, Plaintiff has a copy of Judge Eugene Lester's ORDER STATING SHOULD PLAINTIFF be released, he is ordered to report to MONTGOMERY PROBATION office within 24 hours.

PLAINTIFF Declares he is in POSSESSION OF COPIES OF BOTH DOCUMENTS AS EVIDENCE AND WILL INTRODUCE EVIDENCE AT ANY SUBSEQUENT HEARING. The GDC to wit GEORGIA STATE PRISON (GSP) where PLAINTIFF IS Housed HAS NO SYSTEM IN PLACE TO MAKE A COPIER AVAILABLE TO ANY PRISONER. GSP STAFF REFUSED TO SUBMIT A STATEMENT TO THAT EFFECT. PLAINTIFF ALSO DECLARES THAT he IS INDIGENT AND UNABLE TO PAY ANY COST ASSOCIATED WITH A OUTSIDE AGENCY COPYING THESE DOCUMENTS/EVIDENCE.

SUPPLEMENTAL AFFIDAVIT OF MARY ANN HARRIS IS SEMI INCORRECT. HS little STATES THAT PLAINTIFF HAS A MINIMUM RELEASE DATE OF JULY 30, 2009. THIS IS INCORRECT. THE WAY THE PLAINTIFF'S GEORGIA SENTENCE IS STRUCTURED he HAS NO MINIMUM RELEASE DATE. The July 30, 2009 DATE Refers to THE EXPIRATION OF ALABAMA PORTION OF PLAINTIFF'S SENTENCE. PLAINTIFF HAS SOME 11 MORE YEARS OF INCARCERATION AFTER THE JULY 30, 2009 DATE.

GEORGIA DEPARTMENT OF CORRECTIONS DOES NOT RECOGNIZE ALABAMA'S DETAINER AS A "NOTIFICATION ONLY". IT IS A ACTIVE DETAINER. (See DETAINER ATTACHED TO SUPPLEMENTAL SPECIAL REPORT, ALSO COMPARE TO STATED DIFFERENCE IN PLAINTIFF'S RESPONSE TO SPECIAL REPORT AND ANSWERED FILED ON APRIL 9, 2007.) A ACTIVE DETAINERS ONLY PURPOSE IS TO CAUSE ADVERSE HARM AS DEFENDANTS REPORT STATES. NO EFFECT IS SERVED BY ALABAMA'S DETAINERS.

THIS AFFIDAVIT IS IN CONJUNCTION WITH THIS COURT'S ORDER OF APRIL 18, 2007.

SWEAR UNDER PENALTY OF PER JURY THIS 30th day of ~~April~~,
2007.



ALONZO MOREFIELD, JR.
PLAINTIFF, PRO SE

LEGAL
MOTL

Alonzo HARRIS, Plaintiff
FD-47985, Ga. State Prison
2164 Hwy 147
Folsom, GA 30439

This station sent me 650 re-bills on
the same day mail out processing
on 4/30/07

Debra P. Hackney, Clerk
U.S. District Court, Middle District of
Northern Division
Post Office Box 711
Montgomery, AL 36101-0711

